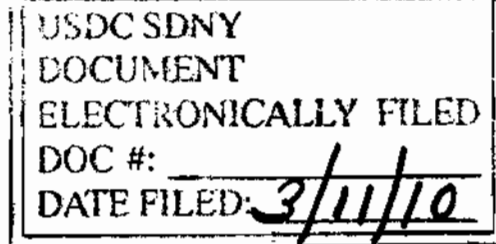


LATHAM & WATKINS LLP

53rd at Third  
885 Third Avenue  
New York, New York 10022-4834  
Tel: +1.212.906.1200 Fax: +1.212.751.4864  
www.lw.com



February 25, 2010

The Honorable Richard J. Holwell  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

FIRM / AFFILIATE OFFICES

Abu Dhabi	Moscow
Barcelona	Munich
Beijing	New Jersey
Brussels	New York
Chicago	Orange County
Doha	Paris
Dubai	Rome
Frankfurt	San Diego
Hamburg	San Francisco
Hong Kong	Shanghai
Houston	Silicon Valley
London	Singapore
Los Angeles	Tokyo
Madrid	Washington, D.C.
Milan	

MAR - 1 2010

Re: Glaser v. The9 Ltd., et al., 09-cv-8904 (RJH) and O'Dea v. The9, 09-cv-09166 (RJH)

Dear Judge Holwell:

We represent the defendants in the above-captioned consolidated actions and are writing to seek clarification of two scheduling issues that have arisen as a result of various orders and stipulations entered in the case.

First, we request that the Court waive the Initial Scheduling Conference currently calendared for April 30, 2010 at 10:00 a.m. ("April 30<sup>th</sup> Conference"). That conference was set after the Court entered, on November 17, 2009, an Ordered Stipulation ("Scheduling Order") setting forth a complete briefing schedule on defendants' motions to dismiss. Pursuant to that Scheduling Order, plaintiffs are required to file their consolidated complaint on or before March 19, 2010, and defendants will file their motion to dismiss forty-five days after the filing of the consolidated complaint. Moreover, because this case asserts claims under Section 10(b) of the Securities Exchange Act of 1934, the Private Securities Litigation Reform Act ("PSLRA") provides for a stay of "discovery and other proceedings ... during the pendency of any motion to dismiss." 15 U.S.C. § 78u-4(b)(3)(B). It appears that the current schedule for briefing defendants' motion to dismiss and the PSLRA stay obviates the need for the April 30<sup>th</sup> Conference, and we therefore request that it be waived.

In the alternative, if the Court believes the April 30<sup>th</sup> Conference is necessary, we respectfully request a waiver of the Court's requirement that the parties submit an additional proposed scheduling order, or that the Court offer guidance as to what an additional scheduling order should contain at this stage of the litigation.

Second, also in light of the motion to dismiss briefing schedule set forth in the Scheduling Order, defendants request that the Court waive the pre-motion conference generally required under the Court's Individual Practice 3.A. However, if the Court does believe a pre-

February 26, 2010  
Page 2

LATHAM & WATKINS<sup>LLP</sup>

motion conference is required, defendants request clarification on a schedule for submission of a letter setting forth the basis for their motion.

We are available to discuss these issues at the Court's convenience. We have discussed this matter with counsel for the co-Lead Plaintiffs in this case and understand that the co-Lead Plaintiffs join in these requests.

Respectfully,



Robert J. Malonek  
of LATHAM & WATKINS LLP

cc: Evan Kaufman, Coughlin Stoia Gellar Rudman & Robbins LLP  
Robin Howald, Glancy Binkow & Goldberg LLP

Defendants shall submit a letter setting forth the basis for their anticipated motion by 3/31/10. Thereafter the Court will determine whether a pre-motion conference is necessary. The parties need not submit additional scheduling orders at this time. The initial scheduling conference set for 4/30/10 is adjourned  sine die .

SO ORDERED



RICHARD J. HOLWELL  
UNITED STATES DISTRICT JUDGE

3/10/10